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Office of Environmental Health Hazard Assessment

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Dear Environmental Professional:

The Office of Environmental Health Hazard Assessment's (OEHHA) Registered Environmental Assessor (REA) program and the Board for Geologists and Geophysicists (BGG) are clarifying issues that have come before both agencies. This letter is intended to provide clarification of the January 14, 2000 letter sent by Beth Jines, Chief of the REA Program to County Health Officers and the June 5, 2000 letter, sent by the Executive Officer of the BGG to all REA IIs who are not registered as Geologists or licensed as Civil Engineers. Statements in that letter may have caused confusion as to what environmental assessment, investigation and remediation activities may be considered the "practice of geology" and may not be conducted by REA II registrants unless they are Registered Geologists. We are issuing this joint letter to clarify the role of REA II registrants and Registered Geologists in site mitigation activities.

The REA program and the BGG missions are compatible within the environmental arena. The REA program's mission is to protect and enhance public health and the environment by identifying and registering environmental professionals qualified to perform environmental assessment, investigation and remediation activities. OEHHA is assisted in registration of the REA IIs by the other Cal/EPA Boards, Departments and Offices. The BGG has a mission to continuously enhance the quality, value, and availability of geological and geophysical services offered to the people of California. The BGG regulates the professional practice of geology and geophysics in California and is responsible for licensing geologists and geophysicists who meet certain education, experience and written examination requirements testing for minimal professional competency.

In general, state law does not specify who may conduct environmental activities in California. Certain specific activities of a limited scope and nature are designated as requiring certain professional registrations. REA's who hold no other professional



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license may perform environmental activities for which they have expertise provided they do not engage in an activity for which a professional license is otherwise required by law. Likewise, Registered Geologists, Professional Engineers and other professionals must be in responsible charge of all activities for which their respective license is required and may perform or conduct other environmental activities for which they have expertise and competence.

An REA II is a project manager, who utilizes personal expertise as well as the expertise of other environmental professionals (such as Registered Geologists and Professional Engineers) in the development of hazardous waste site cleanup opinions. These opinions are based upon careful study of a site, including, but not limited to, preliminary endangerment assessments, remedial investigations, feasibility studies, remedial design, remedial actions, corrective action plans, remedial action plans and other work associated with the investigation, assessment and remediation of hazardous waste and hazardous substance release sites. While the practice of environmental assessment, investigation and remediation encompasses an expansive field, the practice of geology often comprises an important element of that work. Geologic investigations and interpretations leading to the REA II's site cleanup opinion must be performed by a Registered Geologist. Likewise, a Professional Engineer should perform engineering design and evaluation activities.

Regulations governing the work of REA II registrants contained in Title 14 of the California Code of Regulations, Chapter 3, section 19041(e) and (f), state:

“...If other registered professionals perform engineering, geologic or other professional services which are included in, or form the basis of the report or opinion, the signature and registration number of each shall be included in the report or opinion.

All professional engineering or geologic work shall be performed by a registered professional in compliance with the requirements of the Professional Engineers Act, Business and Professions Code section 6700-6799 and the Geologist and Geophysicist Act, Business and Professions Code sections 7800-7887.”

A Registered Geologist performs professional geologic work involving the exercise of scientific knowledge, principles and methods using initiative and judgment in the interpretation of geologic conditions (Bus. & Prof. Code §§ 7802, 7802.1 and 7805). Activities which are performed at a sub-professional or apprentice level, or routine activities, including but not limited to drafting, sampling, sample preparation, laboratory work, etc., do not require professional registration as a geologist.

The REA program does recognize that Registered Geologists and Professional Engineers have a role within the environmental assessment, investigation and remediation framework. The law states that an individual may not claim the privileges of being a registered geologist, professional engineer, or the privileges of any other registration, certification or license unless the individual holds that particular credential.

Registrants and licensees are required to act in a manner that protects the health and safety of the public, workers and the environment and to hold these activities paramount during their activities. We trust that this letter clarifies the role of the REA and other professional registrants in conducting environmental response activities. The Office of Environmental Health Hazard Assessment (OEHHA) and the Board for Geologists and Geophysicists (BGG) will continue to work closely together to enhance the ability of the State to protect human health and the environment by moving forward to mutually implement our respective programs. If you have any questions regarding the contents of this letter, please contact Richard Bailey of the REA Program, OEHHA at (916) 327-1076, or Paul Sweeney of the BGG, at (916) 263-2113.

Sincerely,

Val F. Siebal, Chief Deputy Director
Office of Environmental Health Hazard Assessment

David Cummings, President
Board for Geologists and Geophysicists